

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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AUG 12 2022

CLAIMS & LITIGATION BUREAU
SYRACUSE OFFICE

The Estate of Joseph P. King,
by and through its Administratrix,
Amy King, and Amy King, in her own right,

Plaintiff,

v.

Anthony J. Annucci, Acting Commissioner,
State of New York Department of
Corrections, in his individual capacity; and
Marie T. Sullivan, MD, Commissioner,
State of New York Department of Mental
Health, in her individual capacity
Jami Palladino, Mid-State Social
Worker, in her individual capacity; Hal
Meyers, Mid-State Chief Mental Health
Counselor, in his individual capacity;

CIVIL ACTION

INDEX NO. 9:20-cv-1413

**PLAINTIFF'S RESPONSE TO
DEFENDANTS' FIRST REQUEST
FOR ADMISSION**

**PLAINTIFF'S RESPONSE TO DEFENDANTS' FIRST SET OF REQUESTS FOR
ADMISSION**

Pursuant to Rule 36 of the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Northern District of New York, Plaintiffs hereby respond to Defendants' First Requests for Admission dated July 15, 2022.

RESPONSES

REQUEST FOR ADMISSION NO. 1

The audio recording that is date and time stamped November 1, 2018, 10:19a.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 1

Plaintiff admits that the audio recording that is date and time stamped November 1, 2018, 10:19a.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 2

The audio recording that is date and time stamped November 1, 2018, 1:54 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 2

Plaintiff admits that the audio recording that is date and time stamped November 1, 2018, 1:54 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 3

The audio recording that is date and time stamped November 1, 2018, 3:54 p.m., is a telephone conversation between Plaintiff and Plaintiff's decedent.

RESPONSE TO REQUEST NO. 3

Plaintiff admits that the audio recording that is date and time stamped November 1, 2018, 3:54 p.m., is a telephone conversation between Plaintiff and Plaintiff's decedent.

REQUEST FOR ADMISSION NO. 4

The audio recording that is date and time stamped November 13, 2018, 10:57 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 4

Plaintiff admits that the audio recording that is date and time stamped November 13, 2018, 10:57 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 5

The audio recording that is date and time stamped November 14, 2018, 10:05 a.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 5

Plaintiff admits that the audio recording that is date and time stamped November 14, 2018, 10:05 a.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 6

The audio recording that is date and time stamped November 14, 2018, 6:02 p.m., is a telephone conversation between Plaintiff's decedent and his son, Joseph King Jr. and then his daughter, Meghan King, speaks to her father for the remainder of the audio recording.

RESPONSE TO REQUEST NO. 6

Plaintiff admits that the audio recording that is date and time stamped November 14, 2018, 6:02 p.m., is a telephone conversation between Plaintiff's decedent and his son, Joseph King Jr.

REQUEST FOR ADMISSION NO. 7

The audio recording that is date and time stamped November 14, 2018, 6:33 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 7

Plaintiff admits that the audio recording that is date and time stamped November 14, 2018, 6:33 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 8

The audio recording that is date and time stamped November 15, 2018, 9:55 a.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 8

Plaintiff admits that the audio recording that is date and time stamped November 15, 2018, 9:55 a.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 9

The audio recording that is date and time stamped November 15, 2018, 10:47 a.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 9

Plaintiff admits that the audio recording that is date and time stamped November 15, 2018, 10:47 a.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 10

The audio recording that is date and time stamped November 15, 2018, 11:30 a.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 10

Plaintiff admits that the audio recording that is date and time stamped November 15, 2018, 11:30 a.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 11

The audio recording that is date and time stamped November 15, 2018, 4:56 p.m., is a telephone conversation between Plaintiff and Plaintiff's decedent.

RESPONSE TO REQUEST NO. 11

Plaintiff admits to that the audio recording that is date and time stamped November 15, 2018, 4:56 p.m., is a telephone conversation between Plaintiff and Plaintiff's decedent.

REQUEST FOR ADMISSION NO. 12

The audio recording that is date and time stamped November 15, 2018, 6:49 p.m., is a telephone conversation between Plaintiff and Plaintiff's decedent.

RESPONSE TO REQUEST NO. 12

Plaintiff admits that the audio recording that is date and time stamped November 15, 2018, 6:49 p.m., is a telephone conversation between Plaintiff and Plaintiff's decedent.

REQUEST FOR ADMISSION NO. 13

The audio recording that is date and time stamped November 15, 2018, 8:31 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 13

Plaintiff admits that the audio recording that is date and time stamped November 15, 2018, 8:31 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 14

The audio recording that is date and time stamped November 15, 2018, 9:42 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 14

Plaintiff admits that the audio recording that is date and time stamped November 15, 2018, 9:42 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 15

The audio recording that is date and time stamped November 15, 2018, 10:16 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

RESPONSE TO REQUEST NO. 15

Plaintiff admits that the audio recording that is date and time stamped November 15, 2018, 10:16 p.m., is a telephone conversation between Plaintiff's decedent and his daughter, Meghan King.

REQUEST FOR ADMISSION NO. 16

The audio recording that is date and time stamped November 15, 2018, 10:31 p.m., is a telephone conversation between Plaintiff and Plaintiff's decedent.

RESPONSE TO REQUEST NO. 16

Plaintiff admits that the audio recording that is date and time stamped November 15, 2018, 10:31 p.m., is a telephone conversation between Plaintiff and Plaintiff's decedent.

Dated: August 9, 2022

Respectfully submitted,

/s/ Yamile Kalkach

Hillary Nappi, Esq.

Yamile Kalkach, Esq.

HACH ROSE SCHIRIPA & CHEVERIE,
LLP

112 Madison Avenue, 10th Floor

New York, New York 10016

Tel: (212) 213-8311

hnappi@hrsclaw.com

ykalkach@hrsclaw.com

Attorneys for Plaintiffs

PROOF OF SERVICE

I, the undersigned, do hereby certify that on the August 9, 2022 a true and correct copy of the above and foregoing was served by regular mail to the following address:

New York State Attorney General – Syracuse Regional Office
Assistant Attorney General
Aimee Cowan
300 South State Street Suite 300
Syracuse, NY 13202
Tel: (315) 448-4800
Attorney for defendants

/s/ Yamile Kalkach
Yamile Kalkach

Yamile K
Hach Rose
112 Madison Ave, 10th Floor
New York, NY 10016

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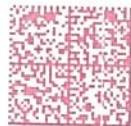
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CLAIMS & LITIGATION BUREAU
SYRACUSE OFFICE

New York State Attorney General
Syracuse Regional Office
300 South State Street
Suite 300
Syracuse, NY 13202

Attn: Aimee Cowan - Assistant Attorney General

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